

1884-008 Chancery Causes: Adm. of David R. Kane for & vs. John Reasor
Lee Co.

Fugate, Shaemaker

CA-Debt
T. Property

To the Honorable John A. Kelley Judge of
the Circuit Court of ~~the~~ ^{the} county near
your Orator Mm. C. H. ~~of~~ ^{of} Estate of J. R. Kane deceased who
sues for the benefit of James L. Shumaker
Administrator of Estate of H. S. Kane and
would Respectfully Represent unto
your Honor that at the
Term 18 of your Honor court he
obtained a judgment against one
John Reesor for the sum of (\$100.00)
~~one hundred dollars~~
one hundred dollars with legal interest
thereon from the 2^d of ~~March~~ ^{July} 1868 till
paid and \$7.00 costs at law when
said Judgment Execution issued and
has been returned by a deputy sheriff
of said county no property found
Copies of said Judgment & Execution were deposited with me at \$1.00
your Orator alleges that said John
Reesor has no personal property
liable to levy out of which said
Judgment can be made
he also alleges that no part of
said Judgment has ever been paid
to your Orator or the said beneficiary
but that the same remains still due
and owing to your Orator for
the benefit of the said beneficiary
your Orator alleges that his
said Judgment was docketed

on the judgment Lien against said
county

Jacob Ortoler charges that at the date
of said judgment the said John
Rever owned a tract of land
situated in said county in
which land upon which he
now lives, containing acres
upon which his said judgment is
a lien. he also charges that said
land will not rent for a
sum sufficient to pay said
judgment interest & costs of land
and the costs of this suit in 5 years
Jacob Ortoler being without
adequate remedy at common
law ~~and~~ therefore his said
judgment Lien and release
only in a court of Equity
his prayer therefore is that the
said John Rever be made
a party to this Bill that
he be required to answer the
same truly on oath that
upon a hearing your Honor
will by all means & proper
Orders and Decrees, direct
a sale of said land or so much
thereof as will be sufficient to

Join with interest & costs at low
and costs of this suit unless it
should appear that the same will
rent for a sum sufficient to
pay the same in full & then
for the same be rented for that
purpose. But should your
Order in any wise be mistaken
in the relief herein sought
then that your Honor will
grant unto him any and
all such Order further and
general relief as to Equity
belongs and is suited to
the peculiar circumstances of
his case

May the Commonwealth writ
of *scire facias* directed to
Halloway

G 4.17 Jan'y 1880.

15.00
3 .50

\$19.67

Ornel 1.08 July 1st 1881.

2075

Mr. L. Hufar Amer force

vs Bill

John Reour

1877. Oct. Bill Filed, 1st Ence.
+ Decree nisi.

" Nov. Decree nisi Conf'd + set
for hearing by Pltff.

" Nov Decree Conf'd.

1880. Mr. Aug Contd.

1881. Mr. Contd. Aug Contd.

1882 Mr. Aug Nov. Contd.

1883 Mr. Aug Nov. Contd.

1884 March Decree final

Wm. C. Hayate summer for ²⁵ } In charge
John Reesor.

This cause came on again this day
to be heard upon the papers
formerly read & was argued by
Council.

And it being stated in in open court by
Complainants counsel that the debt
& costs in said Bill mentioned has
been fully paid

It is ordered that the same be
stricken from the docket

Wm & Hapale, San Francisco
no 5 sec
3 final
John Reesor

Entered page
365 -
J. A. Hyatt
Clerk

March 25th 1884
Enter this sum
J. A. K.

Wm C. H. of the same ~~part~~ } In charge
as ²³ ~~part~~ }
John P. Brown

This cause came on this ^{2^d} day of Nov^r
1879 to be heard upon the Bill of
Complainant and Exhibits filed,
and was argued by counsel.

And it appearing that process served
to law has been duly executed upon
the deft. and more than two months
having since elapsed, & he still failing
to appear and plead or answer
the Bill is taken for confessed.

And it appearing from the allegations
of complainant's said Bill and Exhibits
on file that deft is indebted to complainant
for the benefit of J. S. Shainaker and
of estate of W. S. Kane deceased in
the sum of One thousand dollars
with legal interest thereon from the
25th day of July 1860 till paid and
\$7.00 costs at law which is due
by judgment and a lien upon the
land in the Bill mentioned
and it appearing by the allegations
of said Bill that the land will
^{not} rent for a sum sufficient to pay
the same in five years.

On consideration whereof it is
adjudged decreed and decreed
that unless the deft. pay said
judgment interest & costs in

at Law & the costs of this suit
 within 30 days from the date of
 this decree. ^{the plaintiff consenting at this time to take a decree for renting} Then it shall be the
 duty of H.M. Holloway who is
 who is herein appointed a special
 commissioner for the purpose to rent said
 land to the highest bidder for the
 stated period it will take to buy
 the same in front of said county
 court house on some court day
 after he shall have advertised
 the time and place of renting
 for at least ³⁰ days before said
 renting on said court house door
 and at one or more public places
 in the neighbor hood of said land
 said commissioner will require a sum
 sufficient to pay costs of suit and
 expense of renting said land
 and take bonds for the deferred
 payments, ^{with good security} payable to himself as
 said commissioner in equal annual installments
 and report his proceedings to court
 and this cause is continued

Wm C. Hupfel clerk
 vs B. Secree
 John Reeson

Exhibit page 63.
 Jas W. Orr. Clerk.

Costs
 Paid
 Dec. 11/79

1880 August 23rd (week 1st)
 1880
 in with jury returned a verdict in favor of plaintiff
 decree in with plaintiff's costs

At a circuit Court Continued and
held for Lee County, at the Court house
thereof, on Saturday the 30th day of
March 1878.

Wm C. Fugate Attorney de Leonis non
of David R. Lane dec'd for the ben-
efit of James L. Shumaker Attorney of
Henry S. Lane deceased

vs

Plaintiff

John Reaser

Defendant

} In Debt

By agreement of the parties, it is con-
sidered by the Court That the Plaintiff
recover against the defendant \$100.00 the
debt in the declaration mentioned
with legal interest thereon from the 25th
day of July 1860, till paid and the
costs and no execution is to issue on
this judgement until after the 1st day
of September 1878.

A copy

Teste. James W. Orr Clerk.

Wm C. Fugate Admr.
for &c
copy of Judgt
John Reaser.

Exhibit. A.

Fee for this copy 20 cts.

The Common Wealth of Virginia,
To the Sheriff of Lee Co. - Greeting:

We Command you, That of the goods and
Chattels of John Reason late in your
bailiwick, you cause to be made \$10000 with
legal interest Thereon from the 25th day
of July 1860 till payment, which Wm. C. Fugate
Adm^r of D. R. Kane dec'd for James L. Shorman-
ker Adm^r of H. S. Kane dec'd lately in
our Circuit Court for Lee County has recovered
against him by suit for debt, also \$700
which to the said Adm^r for Lee Co. in our
said Court were adjudged for his Costs in
That behalf expended, whereof the said
Reason is convicted as appears to us of rec-
ord. And That you have the same before
the Judge of our said Court, at the Court
house on the 1st Monday in March next
to render to the said Adm^r of the debt and
Costs aforesaid. And have then there This
writ. Witness James W. Orr, Clerk of ^{our} said
Court, at the Court house, this the 21st day
of December 1878, in the 103 year of the
Commonwealth.

James W. Orr, Clerk -

A Copy -

Teste - J. W. Orr. *W. H.*

~~1880~~
~~1050~~
~~22~~

1880 8 23
 1861 1 23

 19 2

300.00
 19

300.00
 19

270000
 300000

 570000

3420000
 300

to 20 March 80

1050

71162

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 22

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 1000

 1100
 66000
 500

300.00
 19

270000
 300000

 570000

3420000
 300

642

15

552

34500 20 March 1880

300.00

64500 20 March

John Munn att
 and 25 July 1860 \$100.00
 Oct 23 March 1880 118.00
 Costs at Law 218.00
 7.00

Costs of this suit \$225.00
 119.67
 \$244.67

40.00
 50.00
 90.00

225
 218
 201
 311
 4

114.00
 9
 100.00
 1
 0000
 0000

61
 2221
 4
 201

57
 3

The Commonwealth of Virginia.

To the Sheriff of Lee County—Greeting:

We Command you to Summon

John Reason

To appear at the Clerk's office of the Circuit Court of Lee county, at the court-house, on the first Monday in *Oct* next, being rule day, to answer a bill in chancery, exhibited in our said court against *him*

by *Wm C. Hugate* Admr. of David R. Kane dead, who sues for the benefit of James L. Shoemaker Admr. of the Estate of H. S. Kane dead.

And have then there this writ. Witness, Jas. W. Orr, clerk of our said court, at the court-house, this *6th* day of *Sept*, 1879, in the 104th year of the Commonwealth.

J. W. Orr Clerk.

24.

Wm. C. Sugate Adm. for.

vs { Zephaniah
John Reesor

Oct. Rules 1879

Education.

Fr. M. L. S.

For L. S. E. L. C.

Standing No. *344*

—IN—

LEE CIRCUIT COURT.

Plffs ATTY. <i>H</i>	<i>Fugate Mills</i> <i>3 for de</i>	Def'ts ATTY.
Plffs costs. \$	vs. { <i>Bill in</i> <i>Chancery.</i>	Def'ts costs. \$
.....	<i>John Reason</i>	
.....		
.....		
.....		
.....		
.....		
.....		
Total \$		\$

Reference Docket ./. Page *81* Line *46*

1st calling Term *188*

Decided *March* Term *188-4*

344